

REMARKS/ARGUMENTS

In response to the pending Office Action of March 10, 2008, Applicant presents the following arguments and amendments. The present amendments are requested solely for the purpose of more clearly describing and claiming the present invention and do not introduce any new matter. Applicants submit that in light of the arguments presented and amendments requested, this application is in condition for allowance. Accordingly, entry of these amendments, reconsideration of all pending rejections and objections, and passage to allowance is respectfully requested. With the entry of this amendment, claims 1, 4-16, 19 and 20 are pending. Claims 1, 4, 12, 13, 15 and 16 are currently amended. Claims 7 and 14 are original claims and claims 5, 6, 8-11 and 19 are previously presented. Claim 20 is a new claim

Amendments to the Specification

The abstract of the disclosure was objected to under 37 CFR 1.52(b)(4) as not presented on a separate sheet, apart from any other text. In accordance with the rules, supplied herewith is the corresponding abstract apart from any other text. The abstract is identical to the as-filed abstract and does not represent the addition of new matter.

Amendments to the Claims

Amendment of claim 1 is requested to more particularly point out and distinctly claim the present invention by incorporating the limitations of claims 2 and 3 and also for clarity. Support for amended claim 1 is provided in original claims 1-3 and throughout the specification, for example, Fig. 7 and page 11, lines 12-23.

Claim 4 is amended to correct claim dependency, antecedent basis and for clarity.

Claim 12 is amended for clarity by deleting the phrase "such as a radio transponder." Support for this amendment is found at page 5, lines 14-15.

Claim 13 is a method claim rewritten in independent form and incorporates the dolly as recited in pending claim 1. Support for the phrase “the vehicle having said corrugated support surface and the at least one dolly being carried on said support surface with the projections of the wheels engaging in the troughs between ridges of the corrugated support surface” is found, for example, in FIG. 7 and related description on page 11, lines 12-23.

Claims 15 and 16 are amended in accordance with pending claim 13, for clarity, and to correct antecedent basis by replacing the term “wagon” with “vehicle.” Support for this amendment is found in original claim 13.

Claim 20 is a new independent method claim. Support for this claim is found original claim 13 and original claims 1-3.

Objection to the Specification

Provided herewith is an abstract of the disclosure apart from any other text. Accordingly, removal of the objection to the specification is respectfully requested.

Claim Rejections under 35 U.S.C. § 112

Claim 12 is rejected under 35 USC 112, second paragraph as allegedly being indefinite for “failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.” In view of the amendment to claim 12, where the term “such as a radio transponder” is deleted, this rejection is obviated. Withdrawal of the 35 U.S.C. 112 rejection of claim 12 is respectfully requested.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 5 and 12 are rejected under 35 USC 102(b) as allegedly anticipated by Thorne (6,045,565). The Office cites Thorne, for disclosing “a dolly (10) on which a load can be carried, said dolly having wheels (14) enabling its movement over a support surface, wherein the wheels each have a peripheral surface which comprises a plurality

of spaced projections (25) and recesses therebetween” and references Fig. 4A. Applicant respectfully traverses the rejection and the characterization of Thorne.

Thorne, in fact, discloses a robotic vehicle with wheels provided peripherally with radially outwardly extending points or projections which minimize the surface contact of each wheel with the floor on which the vehicle moves (see col. 5, lines 44-49: “In order to minimize this contact area, the wheels **14** are formed by a plurality of projections or points **25** . . . so that the wheels **14** will approximate point contact with the floor.”). Such point (as nearly as possible) contact is necessary so the dead-reckoning (e.g., “dead-reckoning in error”) positioning system of the vehicle works effectively, with slippage between wheels and floor minimized. Such point contact between wheels and ground inherently makes the vehicle unsuitable for load-carrying. Because Thorne does not teach or suggest a dolly surface for carrying a load, as recited in claim 1, Applicant requests the 102(b) rejection of claims 1, 5 and 12 be reconsidered and withdrawn.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 6-9, 11, 13 and 19 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Mitchell *et al.* (4,203,609) in view of Lachenmaier (593,419). The Office cites Mitchell as disclosing a “dolly (10) on which a load can be carried” and acknowledges that it does not disclose the claimed wheels. The Office cites Lachenmaier as allegedly teaching “wheels (a) having a peripheral surface comprising a plurality of rectangular spaced projections and recesses therebetween”, directing Applicant to Figs. 1 and 2, and alleges it “would have been obvious to one of ordinary skill in the art . . . to make the dolly disclosed by Mitchell *et al.* with the wheels taught by Lachenmaier to improve the traction of the wheels.” Applicant respectfully traverses this rejection.

Lachenmaier discloses a flanged railway/tramway wheel which runs on a conventional rail for load-carrying, with a gear wheel behind it for providing better

traction on gradients or the like. The external diameter of the gear wheel is smaller than the diameter of the flange of the supporting wheel. It appears that the weight of the vehicle having the wheel is primarily carried by the flanged railway wheel, while the rack, with which the toothed gear wheel is engageable, is raised to provide traction only when required. Clearly, the rack must not be raised to the extent that the wheel is lifted from the rail track. On flat ground, the wheel would not run on its gear wheel part, but instead on the smooth surface of the flange of the supporting wheel. Therefore, it is submitted that Lachenmaier does not lead to the idea of providing the load-carrying part of a wheel, such as that of the cart of Mitchell, with projections and recesses in any form analogous to a gear wheel. In fact, the combination of Lachnemaier with Mitchell does not teach or suggest the present invention, wherein the projections on the wheel surface are able to enter troughs defined between ridges of the corrugated support surface. Instead, were Lachnemaier combined with Mitchel, the flange (indicated as element J) would prevent the wheeled projections from entering the troughs of the corrugated support surface. Because the combination of Lachnemaier with Mitchell does not teach or suggest the presently claimed invention, where the projections on the wheel surface are able to enter troughs in the corrugated support surface, Applicant requests the 103(a) rejection of independent claims 1 and 13 (and claims depending therefrom), be reconsidered and withdrawn.

Claims 1 and 10 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Kern *et al.* (4,203,609) in view of Lachenmaier (593,419). Kern is cited for disclosing a dolly "on which a load can be carried." As explained with Mitchell *et al.*, the disclosure of Lachenmaier with Kern does not teach or suggest the idea of a dolly having the wheel form of pending claim 1, where the projections on the wheel surface are able to enter troughs in the corrugated support surface. Instead, the combination of Lachenmaier and Kern results in a smooth-surfaced wheel interacting with the support surface. Accordingly, Applicant requests reconsideration and withdrawal of the 103(a) rejection of claims 1 and 10 over Kern and Lachenmaier.

With respect to pending claims 11 and 15, directed to a dolly having coupling means for connecting dollies, Applicant notes Mitchell is limited to coupling carts together and placing the loaded carts on another vehicle. Such loading is carried out by a fork-lift truck, which must be done one cart at a time. Therefore, Mitchell does not teach or suggest loading coupled dollies together onto a vehicle.

Claims 1 and 13-16 are rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over Freeman *et al.* (5,556,118) in view of Lachenmaier (593,419). Applicant believes that Freeman *et al.* corresponds to U.S. Pat. No. is 3,313,378 (and not 5,556,118 listed on the Office Action). The Office alleges these combinations of references are relevant to claims directed to the method of transporting goods using the dolly, and by carrying the dolly on a railway wagon. The trolleys disclosed by Freeman can be hitched together to form a train, and loaded in rail vans or road vehicles, but, as in Mitchell, such loading is described as being done by a fork-lift truck, so it must be done one trolley after another. Saxton discloses a railway wagon with a corrugated floor surface, but there is no teaching or suggestion of any interaction between such a floor surface and wheels of cogged form. Because the wheels taught by Lachenmaier would not, if placed on the ground, run on their gear wheeled parts, it cannot be derived from any combination of Freeman, Saxton and Lachenmaier that such interaction between the wheels of a dolly according to the invention, and a corrugated floor of a wagon, is obvious. Applicant respectfully requests the 103(a) rejection of claims 1 and 13-16 be reconsidered and withdrawn.

Therefore, overall, it cannot be considered that any of the cited references, either alone or taken in combination as suggested by the Office, teach or suggest the present invention. Nevertheless, in the interest of furthering prosecution, presented herein are amended claims which more specifically clarify the distinguishing features of the present application. For example, with respect to amended claim 1 (which is based on a

combination of original claims 1-3), Thorne is distinguished by virtue of setting forth the configuration of the projections and recesses, which are provided on an external peripheral of each wheel. This distinction is provided also in independent amended method claim 13 and new independent method claim 20.

CONCLUSION

In view of the foregoing, this case is considered to be in condition for allowance and passage to issuance is respectfully requested. If new issues of patentability are raised, the Examiner is invited to call and arrange for an opportunity to discuss these issues via telephone interview.

It is believed that a one-month extension of time and corresponding fee is required for this submission. Therefore, payment in the amount of \$60.00 is being made via the Electronic Filing System with this submission. In addition, submitted herewith is a supplementary IDS containing a foreign language reference cited by a foreign patent office along with a fee in the amount of \$180. If any additional fees or further extensions of time are required, or if there is a problem with the EFS payment system, please deduct the required amount or deficiency for this submission and any extension of time required from, or credit overpayment to, Deposit Account No. 07-1969.

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